

Kamiah Jt. School District No. 304

1102 Hill Street - Kamiah, ID 83536

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In the Matter of Request for Review by Kamiah Joint School District Number 304 of a Decision of Universal Service Administrator, CC Docket No. 02-6

Appeal Request: Kamiah Joint School District Number 304 would like to appeal the FCDL of FRN #1799109563 due to a clerical error where the one-time fee of \$28,900 was left off the Form 471 filing.

Funding Commitment Report Dated: 7/28/2017
Applicant Name: Kamiah Joint School District Number 304
Form 471 Application Number: 171048024
Billed Entity Number: 142684
SPIN: 143030857
Funding Request Number: 1799109563
Funding Year: 2017

Applicant Explanation:

During the filing of the Form 471 #171048024 for FRN #1799109563, a clerical error was made. Only the monthly recurring amount was input onto the Form 471, and the \$28,900 non-recurring cost inadvertently was not included on the Form 471 filing. Specifically, in entering data from the contract to the Form 471 bulk upload file, only the recurring cost was input into the bulk upload file and the non-recurring costs were accidentally left off the bulk upload file. This clerical error was not caught until the FCDL was issued on July 28, 2017, and the vendor was confirming the correct FCDL to its contract. See Attachment 1, FCDL.

Enclosed is the contract supporting the \$3,800 monthly amount for 500Mb internet access service along with the \$28,900 non-recurring charge. See Attachment 2, relevant contract page.

It is our understanding that USAC can allow these corrections to be made if it is before the issuance of the FCDL. However, because the error was not identified until after USAC issued the FCDL, we are seeking a waiver of the rules from the Commission.

The Wireline Competition Bureau has granted numerous waivers of ministerial and clerical errors. In the *Ann Arbor Public Schools Order* in 2010, the Commission waived its relevant rules to allow school and library applicants to correct the ministerial or clerical errors on their original FCC Forms 470 or 471. *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Ann Arbor Public Schools et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 17319, 17320 (Wireline Comp. Bur. 2010). In that Order, the FCC noted that ministerial and clerical errors include those such as “failing to enter an item from the source list onto the application.” See footnote 5. That is exactly what happened in our situation. We simply failed to include the non-recurring charge in addition to the recurring charges.

The Wireline Competition Bureau has recently granted appeals in public notices using the same precedent. See, e.g., Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company, Public Notice, DA 15-1494 (Dec. 2015) (specifically mentioning “failure to enter an item from the source list onto

the application” as a correctable error) and Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company, Public Notice, DA 17-385 (April 28, 2017).

We are filing this request for waiver within 60 days of the issuance of the FCDL, as required by the FCC’s rules. 47 C.F.R. § 54.720.

Relief Requested

We respectfully request that FCC grant this waiver request and fund the \$3,800 monthly amount and \$28,900 non-recurring cost as supported by our contract with the vendor. We would like the opportunity to provide any additional information the FCC may need related to this FRN or answer any additional questions, as this funding is essential to our school district. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink that reads "Stefanie Brimacombe". The signature is written in a cursive, flowing style.

Stefanie Brimacombe
District Technology Coordinator
Kamiah School District 304
1102 Hill Street
Kamiah, ID 83536

20 September, 2017